

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

NOEL HERNANDEZ,)	Case No.: 1:21-cv-1075 JLT GSA (PC)
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMEMNDATIONS IN FULL, DISMISSING
v.)	THE ACTION WITHOUT PREJUDICE, AND
)	DIRECTING THE CLERK TO CLOSE THIS CASE
STANISLAUS COUNTY SHERIFF, et al.,)	
)	(Doc. 12)
Defendants.)	
)	
)	

Noel Hernandez is a prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 21, 2023, the assigned magistrate judge found Plaintiff failed to comply with a court order, and recommended the action be dismissed without prejudice. (Doc. 12 at 2-3.) The Findings and Recommendations were served at the only known address for Plaintiff, and it notified him that any objections were due no later than July 12, 2023. (*Id.* at 3.) However, the Findings and Recommendations were returned to the Court on July 10, 2023, with the notation “Undeliverable, No Longer At This Address.” To date, Plaintiff has neither responded to the Court’s orders nor filed a notice of a change of address.

Pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, the Court performed a de novo review of this case. Having carefully reviewed the entire file, the Court concludes the Findings and

1 Recommendations are supported by the record and proper analysis. Moreover, all Court mail has been
2 returned to the Court as undeliverable since May 8, 2023. Pursuant to Local Rule 183(b), a notice of a
3 change of address was due no later than July 10, 2023. Because Plaintiff failed to keep the Court
4 informed of a proper mailing address, dismissal is also appropriate for his failure to comply with Local
5 Rule 183(b). *See e.g., Ghazali v. Moran*, 46 F.3d 52, 53-54 (9th Cir. 1995) (dismissal for
6 noncompliance with local rule); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for
7 failure to comply with the local rule requiring pro se plaintiffs to keep court apprised of address).

8 Accordingly, the Court **ORDERS**:

- 9 1. The Findings and Recommendations issued on June 21, 2023 (Doc. 12) are **ADOPTED**
10 in full.
- 11 2. This action is **DISMISSED** without prejudice.
- 12 3. The Clerk of Court is directed to close this case.

13
14 IT IS SO ORDERED.

15 Dated: **July 17, 2023**


UNITED STATES DISTRICT JUDGE